



Federal Court of Australia

District Registry: Queensland Registry

Division: General

No: QUD669/2025

**AUSTRALIAN SECURITIES & INVESTMENTS COMMISSION**

Plaintiff

**RACQ INSURANCE LIMITED (ACN 009 704 152)**

Defendant

## **ORDER**

**JUDGE:** Justice Downes

**DATE OF ORDER:** 7 April 2026

**WHERE MADE:** Brisbane

### **THE COURT ORDERS BY CONSENT THAT:**

#### **Liability hearing**

1. Pursuant to rule 30.01 of the *Federal Court Rules 2011*, the question of liability will be heard and determined separately and in advance of any hearing and determination of the question of penalty or other relief.

#### **Pleadings**

2. By 17 April 2026, the Defendant file and serve any amended defence.
3. By 1 May 2026, the Plaintiff file and serve any amended reply.

#### **Mediation**

4. Pursuant to s 53A of the *Federal Court of Australia Act 1976* (Cth) and r 28.02(1)(a) of the *Federal Court Rules 2011* (Cth), the proceeding be referred to a mediation, with such mediation to be conducted by a Registrar of this Court by 24 June 2026.

#### **Evidence**

5. By 30 June 2026, the Plaintiff file and serve its evidence in chief.
6. By 31 July 2026, the Defendant file and serve its evidence in chief.



7. By 21 August 2026, the Plaintiff file and serve any evidence in reply.

### **Court Book**

8. By 10 weeks before the hearing date, the Plaintiff provide to the Defendant a draft electronic Court Book, which contains a placeholder for the parties' opening submissions and any consolidated schedule of objections, and is otherwise prepared in accordance with Format 1 outlined in the eBooks Practice Note (GPN-eBOOKS).
9. By 8 weeks before the hearing date, the Defendant provide to the Plaintiff any comments on the draft electronic Court Book.

### **Objections**

10. By 7 weeks before the hearing date, the parties exchange objections to evidence.
11. By 5 weeks before the hearing date:
  - (a) the counsel for the parties are to have conferred with respect to objections to evidence with the intent of resolving or narrowing, to the extent possible, those objections by agreement; and
  - (b) the Plaintiff is to file and serve a consolidated schedule of objections, which contains a list of objections that are pressed, the grounds for each objection and the response to those grounds by the counterparty.

### **Submissions and Court book**

12. By 4 weeks before the hearing date, the Plaintiff file and serve a written outline of its opening submissions, together with a List of Authorities (including copies of the authorities).
13. By 2 weeks before the hearing date, the Defendant file and serve a written outline of its opening submissions, together with a List of Authorities (including copies of the authorities).
14. Upon filing their written outline of opening, each party is to provide by email to the Associate to Justice Downes a Word copy of the filed document.



15. By 1 week before the hearing date, the Plaintiff provide the Court and the Defendant with:
- (a) a consolidated eBook of Authorities containing copies of the authorities included in the Plaintiff's and the Defendant's Lists of Authorities; and
  - (b) the final version of the electronic Court Book.
16. The parties have liberty to apply.

Date orders authenticated: 7 April 2026

  
Registrar

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.